



01-22-02

PATENTS  
112056-0004

sector  
\$3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re The Application of:  
Samuel M. Cramer et al.

Serial No.: 09/933,866 /

Filed: August 20, 2001

For: OPERATOR INITIATED GRACE-  
FUL TAKEOVER IN A NODE  
CLUSTER

Examiner: Not Yet Assigned

Art Unit: Not Yet Assigned

Cesari and McKenna, LLP  
88 Black Falcon Avenue  
Boston, MA 02210  
January 18, 2002

**EXPRESS-MAIL DEPOSIT**

“Express Mail” Mailing-Label Number: EL 705609645 US

The following papers are being deposited with the United States Postal Service  
“Express Mail Post Office to Addressee” service pursuant to 37 C.F.R. §1.10:

X Oath or Declaration  
X Check No. 4684 for \$1,708  
X Formalities Letter

X Fee Transmittal Letter  
X Petition 2 Months of Extended Time  
X Response to Notice to File Missing  
Parts

JAN 18 2002

Patent and Trademark Office/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL**  
**for FY 2002**

Patent fees are subject to annual revision.

**Complete if Known**

Application Number	09/933,866
Filing Date	August 20, 2001
First Named Inventor	Samuel M. Cramer et al.
Examiner Name	Not Yet Assigned
Group Art Unit	Not Yet Assigned
Attorney Docket No.	112056-0004

TOTAL AMOUNT OF PAYMENT (\$) 1,708

**METHOD OF PAYMENT**

- 1.
- ☐
- The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

03-1237

Deposit  
Account  
Name

Cesari and McKenna, LLP

☒ Charge Any Additional Fee Required  
Under 37 C.F.R. §§1.16 and 1.17☐ Applicant claims small entity status.  
See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:

☒ Check☐ Credit card☐ Money  
Order☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee (\$)	Fee Description	Fee Paid
101	201	740	370	Utility filing fee	740
106	206	330	165	Design filing fee	
107	207	510	255	Plant filing fee	
108	208	740	370	Reissue filing fee	
114	214	160	80	Provisional filing fee	
<b>SUBTOTAL (1)</b>					<b>740</b>

**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
21	20**	1	18
Independent Claims	8	3**	420
Multiple Dependent			0

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee (\$)	Fee Description	Fee Paid
103	203	18	9	Claims in excess of 20	
102	202	84	42	Independent claims in excess of 3	
104	204	280	140	Multiple dependent claim, if not paid	
109	209	84	42	**Reissue independent claims over original patent	
110	210	18	9	**Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>					<b>438</b>

\*\*or number previously paid, if greater; For Reissues, see below

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Fee Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English Specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	400
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	128	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility Issue fee (or reissue)	
143	460	243	230	Design Issue fee	
144	620	244	310	Plant Issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					
<b>SUBTOTAL (3)</b>					<b>530</b>

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY****Complete (if applicable)**

Name (Print/Type) Duane H. Dreger

Registration No. 48,836  
(Attorney/Agent)

Telephone (617) 951-2500

Signature

Date January 18, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Office, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OF COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



UNITED STATES PATENT AND TRADEMARK OFFICE

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WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/933,866	08/20/2001	Samuel M. Cramer	112056-0004

CONFIRMATION NO. 6355

24267  
CESARI AND MCKENNA, LLP  
88 BLACK FALCON AVENUE  
BOSTON, MA 02210

FORMALITIES LETTER



\*OC000000006590094\*

Date Mailed: 09/21/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$418.
  - \$18 for 1 total claims over 20.
  - \$400 for 5 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1258.**

*A copy of this notice MUST be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

01/28/2002 AOSHANI 00000060 09933866  
01 FC:101 740.00 OP  
02 FC:102 420.00 OP  
03 FC:103 18.00 OP  
04 FC:105 130.00 OP